

REMARKS

Introductory Comments

As of the mailing date of the 3/1/2010 Advisory Action, claims 1, 4-10, 13-15, 17, 18, and 21 were pending in the present application. In the present Amendment, claims 1, 18, and 21 have been amended, leaving claims 1, 4-10, 13-15, 17, 18, and 21 for consideration upon entry of the present Amendment. Reconsideration and allowance of the claims is respectfully requested in view of the foregoing amendments and the following remarks.

Claim Amendments

Independent claims 1, 18, and 21 have been amended to add the limitation, “wherein the strength region does not comprise polyvinyl amines or vinyl amine copolymers”. “If alternative elements are positively recited in the specification, they may be explicitly excluded in the claims.” MPEP 2173.05(i) (*quoting In re Johnson*, 558 F.2d 1008, 1019, 194 USPQ 187, 196 (CCPA 1977)). Here, “polyvinyl amines” and “vinyl amine copolymers” are recited as alternatives in the paragraph bridging pages 3 and 4 of the application as filed.

Applicants are not conceding in this application that the amended claims would not have been patentable without the current amendments. The present claim amendments are intended only to facilitate expeditious allowance of valuable subject matter. Applicants respectfully reserve the right to present and prosecute the original versions of amended claims in one or more continuing applications.

Anticipation or Obviousness Rejections over Lindsay

Claims 1, 5-10, 13-15, 18, and 21 remain rejected under 35 U.S.C. § 102(c) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Lindsay et al. (6824650). 12/10/2009 Office Action, page 3, paragraph no. 4; 03/01/2010 Advisory Action, page 2, eighth paragraph (maintaining rejections over Lindsay). Applicants

respectfully traverse this rejection to the extent it may be applicable to the claims as currently amended.

In their 02/09/2010 Response, Applicants argued that claims 1, 5-10, 13-15, 18, and 21 are neither anticipated by nor rendered obvious over Lindsay because the present claims exclude Lindsay's required polyvinylamine polymer. Specifically, Applicants argued that Lindsay's required polyvinylamine polymer is excluded by the strength agent Markush group of independent claims 1, 18, and 21. In the 03/01/2010 Advisory Action, the rejections over Lindsay were maintained. 03/01/2010 Advisory Action, page 2, eighth paragraph.

Applicants thank the Examiner for the courtesy of a telephonic interview conducted 03/01/2010 and documented by the Examiner in an Interview Summary of the same date. In that interview, the Examiner referred to MPEP 2173.05(i) and suggested that a negative limitation might be used to exclude strength agents within the scope of Lindsay's required polyvinylamine polymer. The Examiner also generously stated that claims incorporating such a negative limitation as the only amendment would be considered in an after-final amendment. 03/01/2010 Interview Summary. While standing by their previous arguments, Applicants have adopted the Examiner's suggested approach in the present Amendment in order to facilitate expeditious allowance of valuable subject matter. Thus, the three independent claims (claims 1, 18, and 21) have been amended to incorporate the limitation, "wherein the strength region does not comprise polyvinyl amines or vinyl amine copolymers". In view of these amendments, it is abundantly clear that Lindsay's required polyvinylamine polymer is excluded from the present claims. Accordingly, the present claims are neither anticipated by nor obvious over Lindsay.

Applicants therefore respectfully request the reconsideration and withdrawal of the rejection of claims 1, 5-10, 13-15, 18, and 21 under 35 U.S.C. § 102(e) or 35 U.S.C. 103(a) over Lindsay.

Obviousness Rejections over Lindsay + Drelich

Claims 4 and 17 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Lindsay in view of Drelich et al. (3865775). 12/10/2009 Office Action, page 6, paragraph no. 5; 03/01/2010 Advisory Action, page 2, eighth paragraph (maintaining rejections over Lindsay). Applicants respectfully traverse this rejection to the extent it may be applicable to the claims as currently amended.

Claims 4 and 17 are patentable for the reasons described above in the context of the anticipation or obviousness rejections over Lindsay alone. Claims 4 and 17 each depend directly from and further limit claim 1. As described above, claim 1 is patentable over Lindsay because claim 1 excludes Lindsay's required "polyvinylamine polymer". Claims 4 and 17 are therefore patentable over Lindsay. Adding Drelich, which is cited as teaching particular printed bonding patterns, does not remedy the deficiencies of Lindsay. Accordingly, Lindsay and Drelich do not collectively support a *prima facie* case of obviousness against claims 4 and 17.

Applicants therefore respectfully request the reconsideration and withdrawal of the rejection of claims 4 and 17 under 35 U.S.C. § 103(a) over Lindsay in view of Drelich.

It is believed that the foregoing amendments and remarks fully comply with the Office Action and that the claims herein should now be allowable to Applicants. Accordingly, reconsideration and allowance is respectfully requested.

It is believed that all the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130 maintained by Applicants' Attorneys.

Respectfully submitted,

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